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April 05, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: JMV
DEPUTY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FILED

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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: JMV
DEPUTY

Kimberly D. Hogan Pro se
Plaintiff

CASE NUMBER: 1:21-CV-00892-RP-ML

Aspire Financial, Inc. D/B/A Aspire Lending
and Council Donald E. Uloth
Defendant's

**Plaintiff Hogan's OBJECTION to Wrongful Dishonorable and
FRAUDULENT Suggested Dismissal of her Case by Magistrate Judge
Mark Lane**

1. Plaintiff:

Plaintiff: Kimberly D. Hogan Pro se
10015 Lake Creek Pkwy. #621
Austin, Texas 78729
kdhogan@ymail.com
(303)246-1587

2. Defendants:

Defendant: Aspire Financial, Inc. d/b/a Aspire Lending
4100 Alpha Rd. Suite 300
Dallas, Texas 75244
(877)325-2009

Defendant's Counsel: Donald E. Uloth

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Plaintiff Kimberly D. Hogan is Filing this Notice of Objection to the Ludicrous and Abusive suggestion by Mark Lane that Her Case is Frivolous and Factually Insufficient.

1. Plaintiff Kim Hogan asked for a Jury Trial, NOT a Fact Finding Trial by a Lone Judge. Mark Lane is NOT empowered to be a FACT FINDER.
2. Stripping Court Filings and making Evidence Exhibits Disappear from the Court Dockets is a CORRUPT a Court Practice as any. Fraud By Courts Judges, their Clerks, and in this case Instance E File and Tyler Technologies for IGNORING AND STRIPPING EVIDENCE AND EXHIBITS is an obvious denial of The 14th Amendment Equal Protection and Due Process of Law, and a Blatant Violation to 18 U.S. Code 1512 (c). Mark Lane is FULL of Beans on His wholly untrue Claim that I have Not Stated a Colorable, Justifiable Cause Of Action.
3. At this time, because ZERO Discovery has yet been permitted, this Case is NOT Suitable for a 12b 6 Dismissal For failure to state a claim nor is the cause ripe for a Rule 56 Summary Judgment Dismissal.
4. It appears that Mark Lane's recommendations are purely Prevarication on His Part and is Tantamount to an Independent Cause of Action against Him for COURT STRIPPING Your Plaintiff Kim Hogan for Her Due Process and Equal Protection Rights.
5. Mark Lane is NOT allowed to Judge Facts nor is Mark Lane allowed to Prevaricate by His WHOLLY LUDICROUS CLAIM that No Colorable Cause of Action exists for Fraudulent Manipulation and Stripping of EVIDENCE filed in the Courts Below. It appears that Mark Lane is using the Pro Se Screening Process as a Bludgeon to deny Your Plaintiff any semblance of Due Process before the Courts.
6. DISCOVERY is warranted at this Early Pleading Stage of this Case as Rule 8 Notice Pleadings are still the Rule. It appears that Mark Lane is IMPROPERLY Imposing Heightened Pleading Standards per FRCP 9 and is in fact acting as Defense Counsel for the Defendants as His Recommendations that this cause by dismissed are simply **FRAUDULENT**.
7. **IGNORING and Refusing your Plaintiff's Above and Beyond IRREFUTABLE INDISPUTABLE PROVEN FACTS Evidence and Exhibits Clearly**

Contained in her Claim is a Blatant Denial of Due Process and Equal Protection that Violates the UDHR and International Law.

/s/ Kimberly D. Hogan

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April 5th, 2022